IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3242 OF **2002**

IN

SUIT NO.4913 OF 2000

Majid Ahmed Oomerbhoy .. Plaintiff

versus

Rashid Sattar Oomerbhoy & ors .. Defendants

and

M/s R.Kothari Marketing .. Applicant

Mr.B.R.Palav i/b Zohair & Co for Plaintiff.

Mr.Kalpesh Joshi i/b Ranchoddas & Co for Defendants.

Mr.M.V.Deshmukh Court Receiver present

CORAM : D.G. KARNIK, J

DATED : 13th January 2005.

P.C:-

1. Heard learned counsel for the applicant and the defendant no.1. The applicant is not a party to the suit. He wants that certain amount be paid to him.

The amount is not admitted to be due. In the circumstances, no order for payment can be made. If the applicant has a claim applicant is free to file an appropriate suit for recovery of money. Hence, motion is rejected.

D.G.KARNIK, J